

Cover Letter

PRO ECP-17

October 4, 1999

Mr. Bob Barron
Project Manager
U.S. Army Corps of Engineers
400 West Bay Street
Jacksonville, FL 32232

Dear Mr. Barron:

Subject: Everglades Construction Project, 404 Permit No. 199404532

This letter is written to request that the above referenced permit be modified to include authorization for the construction of Stormwater Treatment Area-3/4 (STA-3/4). As you are aware, authorization for the construction of STA-3/4 was not included in the original 404 permit issued for the Everglades Construction Project in March 1997. It is our understanding that the Corps did not have any specific disagreement with the design proposed for STA-3/4, rather, there was the expectation that additional information was forthcoming from on-going activities that could influence the final design, primarily, in the following areas:

1. additional research on advanced treatment technologies, and possible incorporation into the design and construction of STA-3/4;
2. specific details of hydroperiod restoration of northeast WCA 3A location, e.g., the volumes and potential impacts of discharging 50 ppb phosphorus;
3. influence of the revision Lake Okeechobee regulation schedule on STA-3/4 design; and
4. final footprint of STA-3/4, as influenced by the Restudy and Talisman land agreement.

This modification is requested in accordance with the federal requirements, including the permit modification provisions of 33 C.F.R. §325.7. While STA-3/4 was addressed in a comprehensive manner in the 1996 Programmatic Environmental Impact Statement, the current proposed footprint of the project has slightly changed. Enclosed is a set of documents containing updated information on STA-3/4. The extensive *Alternatives Analysis* describes how the above issues were integrated into the present design:

1. analysis of advanced treatment technologies (see Chapter 12);
2. analysis of WCA 3A hydroperiod restoration (see Chapters 7 and 11);
3. analysis of the influence of revisions to the Lake Okeechobee regulation schedule (see Chapter 2); and
4. the overall influence of these issues on the footprint of STA-3/4 (see Chapter 11).

At this time, the District is not including in this request for modification, all of the features for effecting hydropattern restoration discharges into northeast WCA-3A. While the distribution canal necessary for discharges into WCA 3A will be constructed, we are proposing to delay the construction of the individual water control structures which will discharge directly into WCA 3A. The District intends to request a modification to the permit to include discharge structures once the long-term water quality goals are achieved. The basis for this decision includes the following.

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1. Discharges will likely be at or below 50 parts per billion (ppb) in total phosphorus, since, at this time, we do not have sufficient scientific or engineering information to support incorporating an advanced treatment technology into STA-3/4.
2. There remains uncertainty in the potential adverse environmental impacts associated with discharging 50 ppb into areas of the water conservation area that currently receive only rainfall. As you recall, this was a controversial issue in the 1996 PEIS surrounding the hydropattern restoration features of STA 2.
3. There remains uncertainty in quantifying the balance of hydroperiod benefits compared to the potential adverse water quality impacts.
4. While it is possible to construct the WCA 3A water control structures at this time and simply not operate them, this may not be in the public interest from a fiscal accountability standpoint, and experience from other projects indicate that construction warranties may expire prior to operation.

Also included as part of this additional information are the following:

1. the 1999 *Everglades Interim Report*, which discusses the available research data and implications for design and operation of STA-3/4;
2. documentation of on-going public participation during the design of STA-3/4, and
3. a cross-reference table, identifying project documents that address specific Corps regulatory requirements.

The submitted documents and public comments may also be viewed on the District's web page (www.sfwmd.gov) under the heading of Major Projects, ECP STA-3/4 Design Review WebBoard. In order to meet Florida's 1994 Everglades Forever Act deadline for construction of STA-3/4 the District requests your assistance in expediting the review and completion of this request for permit modification.

Should you have any questions, please feel free to call Neil Larson at (561) 682-6292.

Sincerely,

Joseph A. Schweigart, P.E., P.L.S.
Director, Everglades Construction Project

Enclosures

c. Lloyd Pike, USACOE/JAX
John Hall, USACOE/JAX
Frank Nearhoof, FDEP

bc: Neil Larson
Jennifer Jorge
Gary Goforth
Randy Bushey
Tracey Piccone
John Fumero
Keith Rizzardi